

5726. Misbranding of "Dr. Martel's Special Female Pills." U. S. * * *
v. Ellis B. Kittson (French Drug Co.). Plea of guilty. Fine, \$5.
 (F. & D. No. 7976. I. S. No. 3827-1.)

On June 6, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ellis B. Kittson, trading as the French Drug Co., Newark, N. J., alleging the shipment by said defendant, on November 29, 1915, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Dr. Martel's Special Female Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Contents of box (pills)-----	20
Average weight of 1 pill (gram)-----	0.55
Ash (per cent)-----	21.0
Alkaloids -----	Absent
Aloes -----	Present
Methylene blue-----	Present
Oil of juniper-----	Present
Oil of savin-----	Present
Oil of pennyroyal -----	Present
Ferrous carbonate-----	Present
Ferrous and ferric sulphate-----	Present

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for disturbances of the menstrual functions, and as effective to impart to the female reproductive organs the proper functional action nature demands in normal, healthy women and to reestablish the proper action of the generative organs by restoring their vitality; as a treatment for congestive and inflammatory conditions of the uterus and ovary which are accompanied with unusual pain; as a remedy for amenorrhea; as a relief and treatment for menorrhagia and profuse menstruation; as a preventive of profuse flow and as a treatment for the nervous and mental disturbances of the menopause which include hysteria, melancholia, moroseness, and despondency, when, in truth and in fact, it was not.

On July 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*